REMARKS

Applicants request favorable reconsideration and allowance of the present application in view of the foregoing amendments and the following remarks.

Claims 1-5, 7-13, and 28-29 are pending in the present application. Claims 1, 12, and 13 are the independent claims.

Claims 2-5 and 7-11 were indicated as being withdrawn from consideration at page 2 of the Office Action mailed November 19, 2002. Since many of those claims were rejected in the Office Action dated July 2, 2003, Applicants assume that the Examiner has chosen to consider those claims. Clarification is requested if that is not the case.

Claims 1, 12, and 13 have been amended to further emphasize the distinctions between the present invention and the cited art, and Claims 2-5 and 7-10 have been amended in view of the rejection under 35 U.S.C. §112, discussed below. No new matter has been added.

Appended hereto are two replacement sheets of formal drawings, which incorporate the drawing changes requested on April 21, 2003 and approved by the Examiner in the July 2, 2003 Official Action.

Claims 2-5 and 7-10 stand rejected under 35 U.S.C. §112 second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, the Examiner deemed the term "said processing means" or "said control means" in those claims to lack sufficient antecedent basis. The claims have been amended in view of the Examiner's comments, and Applicants believe the basis for the rejection has been overcome. Favorable consideration is requested.

Claims 1, 12-13, and 28-29 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,115,818 (Barton) in view of U.S. Patent No. 6,449,377

(Rhoads). Applicants respectfully traverse this rejection for the reasons discussed below.

As recited in independent Claims 1, 12, and 13, the present invention includes, *inter alia*, the feature of detecting whether an illegal process has been performed for input digital contents. When a digital watermark is correctly embedded in the digital contents, the same digital watermark has been repetitively embedded throughout the digital contents. The detecting is performed by extracting all of the digital watermarks embedded in the digital contents and judging that the illegal process has been performed when one or more of the extracted digital watermarks is different from the other extracted digital watermarks. These features are supported in the specification, for example, at least at pages 38-39.
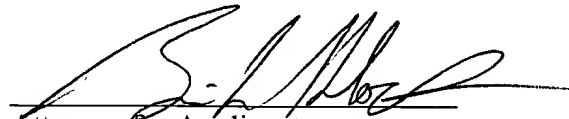
Applicants submit that the cited art fails to disclose or suggest at least the above-mentioned features recited in Claims 1, 12, and 13. Accordingly, those claims are patentable over the cited art, whether that art is considered individually or taken in combination.

The dependent claims recite additional features that further distinguish the claimed invention from the cited art. Those claims are patentable for at least the same reasons as the independent claims, as well as for the additional features they recite.

For the foregoing reasons, Applicant submits that this application is in condition for allowance. Favorable reconsideration, entry of this Amendment, withdrawal of the rejections set forth in the above-mentioned Office Action, and an early Notice of Allowance are requested.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should be directed to our below-listed address.

Respectfully submitted,

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<u>IN THE CLAIMS</u>:

Please amend Claims 1-5, 7-10, 12, and 13 as follows.

1. (Currently Amended) A data processing apparatus comprising:

detection means for detecting whether an illegal process has been performed for input digital contents on the basis of a result obtained by performing a predetermined operation for at least a part of said digital contents; and

embedding means for, when said detection means detects that the illegal process has been performed, embedding a visible or invisible digital watermark to said digital contents,

wherein the result is a result indicating whether a digital watermark is correctly embedded to the digital contents, and wherein when the digital watermark is not correctly embedded it is judged that an illegal process has been performed on the digital contents,

<u>wherein, when the digital watermark is correctly embedded in the digital contents, the same digital watermark has been repetitively embedded throughout the digital contents, and</u>

<u>wherein said detection means extracts all of the digital watermarks embedded in the digital contents and judges that an illegal process has been performed when one or more of the extracted digital watermarks is different from the other extracted digital watermarks.</u>

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2. (Currently Amended) A data processing apparatus according to claim 1, wherein said apparatus further comprises processing means for performing performs a filtering process.

3. (Currently Amended) A data processing apparatus according to claim 1, wherein said apparatus further comprises processing means for reducing reduces a resolution of said digital contents.

4. (Currently Amended) A data processing apparatus according to claim 1, wherein said apparatus further comprises processing means for encrypting encrypts said digital contents.

5. (Currently Amended) A data processing apparatus according to claim 1, wherein said apparatus further comprises processing means for adding adds a bit string to said digital contents.

6. (Cancelled)

7. (Currently Amended) A data processing apparatus according to claim 1, wherein said apparatus further comprises processing means for storing stores information concerning said digital contents.

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8. (Currently Amended) A data processing apparatus according to claim 1, wherein said <u>apparatus further comprises</u> processing means <u>for halting</u> ~~halts~~ the output of said digital contents.

9. (Currently Amended) A data processing apparatus according to claim 1, wherein said <u>apparatus further comprises</u> processing means <u>for correcting</u> ~~corrects~~ said digital contents and <u>outputting</u> ~~outputs~~ the corrected digital contents.

10. (Currently Amended) A data processing apparatus according to claim 1, wherein said digital contents are image data, and said <u>apparatus further comprises</u> control means <u>for correcting</u> ~~corrects~~ colors of said image data.

11. (Original) A data processing apparatus according to claim 1, wherein, to detect an illegal activity, said detection means obtains a hash value by using at least one part of said digital contents.

12. (Currently Amended) A data processing method comprising:

<u>a</u> detection step of detecting whether an illegal process has been performed for input digital contents on the basis of a result obtained by performing a predetermined operation for at least a part of the digital contents; and

an embedding step of, when it is detected at said detection step that the illegal process has been performed, embedding a visible or invisible digital watermark to said

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digital contents,

wherein the result is a result indicating whether a digital watermark is correctly embedded to the digital contents, and wherein when the digital watermark is not correctly embedded it is judged that an illegal process has been performed on the digital contents,

wherein, when the digital watermark is correctly embedded in the digital contents, the same digital watermark has been repetitively embedded throughout the digital contents, and

wherein said detection step comprises extracting all of the digital watermarks embedded in the digital contents and judging that an illegal process has been performed when one or more of the extracted digital watermarks is different from the other extracted digital watermarks.

13. (Currently Amended) A storage medium on which a computer-readable program is stored, said program comprising:

a detection step of detecting whether an illegal process has been performed for input digital contents on the basis of result obtained by performing a predetermined operation for at least a part of said digital contents; and

an embedding step of, when it is detected at said detection step that the illegal process has been performed, embedding a visible or invisible digital watermark to said digital contents,

wherein the result is a result indicating whether a digital watermark is correctly embedded to the digital contents, and wherein when the digital watermark is not correctly

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embedded it is judged that an illegal process has been performed on the digital contents,

wherein, when digital watermark is correctly embedded in the digital contents, the same digital watermark has been repetitively embedded throughout the digital contents, and

wherein said detection step extracts all of the digital watermarks embedded in the digital contents and judges that an illegal process has been performed when one or more of the extracted digital watermarks is different from the other extracted digital watermarks.

14. - 27. (Cancelled)

28. (Previously Presented) An apparatus according to Claim 1, wherein the digital watermark embedded by said embedding means indicates information concerning transmission of said digital contents.

29. (Previously Presented) A method according to Claim 12, wherein the digital watermark embedded at said embedding step indicates information concerning transmission of said digital contents.